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PHILOSOPHY, RELIGION
& EDUCATION

CHRISTIANITY and CRISIS

A Christian Journal of Opinion

"World Opinion" and the H-Bomb Tests

The Russians have flaunted "world opinion" to have their tests, and now they may exploit it to try to prevent ours. Nevertheless, their cynicism ought not to determine our action.

We Americans have recently been more than a little miffed by the world response, or lack of response, to Russian actions. The lofty impartiality of the Indian maneuverings at the UN and, before that, of the Belgrade meeting hardly seemed to us an adequate position with respect to the recent series of bold and menacing Russian acts, especially their tests. The temptation is to dismiss the opinion of these "neutrals" with impatience. This irritated dismissal should be resisted.

It should be resisted for one of those impure mixtures of reasons that are the despair of moralists but the only hope of world politics: because it is in our interest, in the long run, to do so, and also because we really should and do have something like a "decent respect for the opinions of mankind." We should urge some attention to opinions of peoples abroad, both because it truly is in our wiser interest and because this is one of the few levers on our own parochial and overly developed "anti-Communist" stereotypes.

Of course, the symbol of "world opinion" will not bear much examination or carry much weight on many of the intricate issues of the day—Berlin, for example. One should not attribute to the shadowy conglomeration of the uninformed an impartiality, a wisdom, a responsible judgment

that is not there. Men everywhere have opinions along the lines of the selective perceptions their national and other particular experience encourages. Popular opinion in any country has its limitations. And, among leaders, one should avoid any notion that those without power or without commitments in the Cold War are therefore superior in moral insight. "World opinion," whatever it may be, is composed of the attitudes of variously interested, biased, uninformed peoples, and it does not represent any solemn and impartial source of moral judgment.

Nevertheless, on the resumption of tests in the atmosphere, we ought to listen to it. Fallout is a new kind of issue; it is one that "peoples" can understand. Their opinion—and their progeny—ought to be respected.

Great powers are not worse than nice, little powers, nor are leaders worse than "people," as a sentimental politics holds, but great powers and harassed leaders do have—like everyone else—their inclination to make their own view ultimate—in this case, one that is over-politicalized.

Are there really good reasons for our having tests in the atmosphere? Surely the "expense" of the underground tests should not be mentioned. Further, have we not just been assured, by Mr. Gilpatric, the Deputy Secretary of Defense, that we are well "ahead"? Is not anger at Russian action a motive of many who urge the tests? Are our projected refinements of smaller weapons not

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such that tests underground could have sufficed for them, had the Russians not tested their series? Could we not gain in the world's eyes—despite Belgrade—by refraining from tests?

What can restrain our American inclination to see everything in the most immediate militarized, cold war terms? Hopefully, once in a while and on at least this issue, "world opinion." W. L. M.

HEALING A FESTERING SORE

SENATOR HARRISON WILLIAMS' laudable efforts to arouse public concern over the plight of migratory farm labor and to take legislative leadership in correcting its abuses deserve wholehearted support by readers of this journal. We are pleased to publish in this issue his careful analysis of the problem, in which he gives a forthright statement of some of his purposes, intents and goals in dealing with it.

The Senator is, of course, right that a vigorous and sustained public demand is prerequisite to much necessary action for the amelioration of the lot of the nation's 2,000,000 mobile farm workers and their families. The public conscience has been stirred only fitfully by the mistreatments of these workers. It has responded with outrage after reading a Steinbeck novel, or viewing a television documentary like "Harvest of Shame," or hearing of fires and disasters that strike these workers' wretched camps. The public, however, has not thrown its total, resolute will into the solution of this problem, and until it does, it will be difficult for legislators to countervail the lesser pressures that stymie action.

In a sense, however, waiting for the great public demand is a hesitant way of tackling the problem. We hope that those in responsible positions will not be deterred from taking the small, necessary and immediate steps toward justice for these workers while waiting for a millennial chorus of public support.

The Federal government has moved with great reluctance to get to the root of this problem. In the summer of 1957 in North Carolina a trailer loaded with produce and crowded with the workers who had picked it collided with a truck, and eighteen persons were killed. In response to that disaster, the Interstate Commerce Commission today has authority to enforce motor carrier safety regulations on vehicles carrying migratory

workers. This step cannot be criticized for what it does. But it does so little.

Reports of the Federal government have boasted of Washington's role in alerting the states and local governments to the needs of migratory workers. Actually, placing the responsibility on local units for the solution of this problem is a way of compounding it. The workers are not the responsibility of local governments; and the strain they put on schools, welfare and other services is due to the fact that this floating work-force is clearly an item in interstate commerce, a Federal responsibility. Washington has not done enough. The bottling up of Senator Williams' excellent proposals in the House of Representatives shows how little pride we as a nation can take in the way we have moved to arrest this festering sore.

R. T. B.

BIPARTISAN TARNISH

THE ABILITY of ex-Presidents to diminish in stature is not limited to members of any one political party. Mr. Truman's ill-advised sallies since leaving the White House have considerably lessened his stature as a man and as a statesman, whether he was excoriating students involved in the sit-ins or commenting on the eschatological status of those unwise enough to vote for Mr. Nixon. His earthy blasphemies have been appreciated only by Mr. Nixon, who was able to parlay them into a campaign issue. Mr. Truman would be well-advised either to refrain from off-the-cuff comments or else to give more thought to what he says.

But a similarly distasteful performance has recently been recorded by Mr. Eisenhower, whose own intemperate remarks make clear that pettiness is not a monopoly of Democratic ex-Presidents. Mr. Eisenhower, speaking recently in New York City, scornfully dismissed the Peace Corps, one of the few really creative experiments of our Government in recent years, as "a juvenile experiment." He suggested that President Kennedy "send the Peace Corps to the moon," and added a gratuitous insult, as unnecessary as it was unchivalrous, about the unfortunate college girl who dropped the now-famous postcard in Nigeria.

Not only does this kind of talk add nothing of substance to national political debate (and the Peace Corps certainly merits responsible com-

ment), but it considerably tarnishes Mr. Eisenhower's reputation for high-mindedness and concern for our international responsibilities. If this is the level of commentary we can expect from him, Mr. Eisenhower would do well to retire from the public scene. Better yet, he might en-

gage a wise writer to manufacture his spontaneous, off-the-cuff remarks.

Otherwise, someone might suggest a Truman-Eisenhower debate, and we see no advantage in that to anyone.

R. M. B.

The Creation of a Society Lacking in Human Compassion

The Migratory Farm Worker Problem

SENATOR HARRISON A. WILLIAMS, JR.

EACH YEAR, beginning in the spring, the migratory farm worker and his family travel northward helping to plant, cultivate and harvest our crops. Together they migrate from Florida to New York, from Texas through the Midwest and from California to Washington performing essential field tasks for which no complete substitute for the human hand and eye has yet been devised. When they end their migration in the fall, the migratory farm worker and his family have reaped a harvest that has long made us the best fed, most productive nation in the world. But for themselves, they have reaped a harvest of poverty, illiteracy and disease.

Other groups of workers have long enjoyed basic standards of minimum security initiated by the New Deal legislation of the 30's. But today, almost thirty years later, because they were excluded from the legislation of the New Deal era, our farm workers still live with the uncertainties, whim and chance of the last century. They have no guaranteed minimum wage, no guarantees of minimum hours and overtime in their work week and no Federal right to bargain collectively. Their children are not adequately protected by child labor laws. Farm workers do not receive unemployment compensation; too few of them are protected by workmen's compensation laws.

There are, in fact, only two instances in which farm workers have been touched by beneficial Federal legislation. Within the last few years, the Old Age Survivors Disability Insurance provisions of the Social Security Act have been extended to farm workers, and the Motor Carrier Safety and Comfort provisions of the Interstate Commerce Act have been made applicable to their interstate transportation. Even in these

cases, though, farm workers' rights and protections seem to be more theoretical than actual.

These problems, contrary to popular belief, began to develop before the Great Depression. Even prior to the immigration laws of 1917, American farmers relied heavily upon newly arrived European immigrants for temporary and seasonal farm work. Some employers in the West erroneously viewed Chinese, Japanese and Hindu immigrants as a permanent migratory farm labor force. These immigrants, however, found permanent employment or began farming on their own as soon as possible.

Perhaps the most famous element of the migratory labor force emerged during the 1930's when freakish climatic conditions drove farmers from their lands in the Dust Bowl area (Oklahoma, Arkansas, Missouri and Texas). These were the "Okies," so movingly portrayed in John Steinbeck's *The Grapes of Wrath*. At one time, the Okies comprised the largest segment of the migratory labor force, but they, too, resettled as soon as the opportunity presented itself.

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SENATOR WILLIAMS of New Jersey is serving his first term in the United States Senate. One of his most important contributions, as Chairman of the Senate Subcommittee on Migrant Labor, has been in bringing to public attention the plight of the migrant worker.

The present day migratory farm labor force originated during the 1930's along with the rapidly changing character of our agricultural economy. During this period, the effects of the Depression and mechanization caused the merger of many small family farms into larger units. Coincidentally with these events came the development of modern transportation, refrigeration and frozen food preservatives, which enabled specialization in those crops best suited to the soil and weather conditions of particular areas. Although mechanization and the accompanying technological advance in other related areas have produced the agricultural abundance we have today, specialization in crops having a short but high seasonal labor demand has produced a permanent need for migratory farm workers.

During World War II, many farmers, particularly those operating large, corporate-type farms, began employing Mexican nationals to supplement their labor force. Since 1951, these Mexicans—or *braceros*, as they are called—have been brought into the country for farm work under the authority of Public Law 78 and related agreements between our Government and Mexico. The use of *braceros* has become so extensive (over 400,000 each year from 1956-1959) that in many areas they constitute the primary source of farm labor. American farmers have also begun to use workers recruited from the British West Indies, Japan, Canada and the Philippines, although they have not been imported as extensively as *braceros*.

Social Outcasts on the Treadmill

In the United States today, apart from these foreign workers, there is a domestic migratory labor force comprised of about 500,000 American citizens. Including dependents, approximately 2,000,000 of our citizens are involved in the treadmill of poverty, illiteracy and insecurity that dominates the life of the domestic agricultural migrant.

An arresting irony enters the picture here: the foreign workers generally have better protections and benefits than have our own domestic workers. This holds true whether the foreign workers are imported under Government authority or private contract. Mexican nationals, for example, receive these assurances: workmen's compensation, free housing while at employment centers, free transportation from Mexican migrant stations to reception centers in the United States, guarantees of minimum work periods and of wages of not less than fifty cents an hour. Other foreign work-

ers have similar rights and guarantees.

None of these protections exist under Federal law for the domestic farm worker, which leads to a wide range of problems usually associated with the underprivileged. The migratory farm worker's income is the lowest in the nation. In 1959, his average income for both farm and non-farm work was a mere \$911, and his average length of employment was under 150 days. It is not surprising, therefore, that migratory farm families live in a state of poverty and illiteracy, which brands them as social outcasts.

The educational problem of migratory children and adults is partially a product of this social stigma. Because migratory children are "outsiders," burgeoning the school enrollment for short periods of time, disrupting study plans, and requiring special attention, there is oftentimes an understandably negative attitude in communities to which they migrate. This resistance and resentment frequently manifests itself through badly formulated and poorly administered public school policies. For example, compulsory school attendance laws in some states are not always enforced as energetically respecting migratory children as in cases involving local children.

The local communities are, of course, greatly concerned about the financial burden on school systems having to accommodate a large seasonal influx of children. This concern is altogether justifiable in view of the fact that these conditions occur in rural communities, which are already faced with the most serious financial problems in our entire educational system. Furthermore, the migrant parent contributes little or nothing to the cost of educating his child.

The overriding consideration, nonetheless, is that the most educationally deprived group in the nation today are the migratory farm workers and their children. It is, therefore, essential that better education be afforded these children. This is one of the first steps, perhaps the most important single step, in resolving the wide range of problems in this area.

In and out of several different schools each year, sometimes subjected to social discrimination, the migratory child falls further and further behind his normal grade level. The logical consequences of these conditions are emotional disturbances and retardation, which grow progressively worse as he matures. It is indeed the rare migratory farm worker who sees himself and his children escaping through education the fate that lack of education has thrust upon them.

A serious problem exists also in regard to the migrant worker's housing, which rarely meets minimal standards of sanitation and comfort. Disease, sometimes reaching epidemic proportions, invades the migrant population to a degree almost unknown among the general population.

Seldom living in one place long enough to meet local residency requirements, migratory farm families do not qualify for welfare services generally available to other citizens. During the depressed migration of the 1930's, some states, fearing the mass arrival of indigents, enacted more stringent residency laws. Although there has been a tendency to modify and eliminate residency requirements, these barriers remain on most statute books today.

Legal residence is also a primary qualification for the voting franchise. Hence, the very nature of his work makes it difficult for the migratory farm worker to qualify. Moreover, those who do enjoy voting privileges have not prevented their interests from being slighted in law. Substandard income, inadequate education and political impotence are weak weapons, indeed, vis-à-vis the firmly established, highly persuasive voice of farm organizations.

Historically, the plight of the migratory farm family has not gone entirely unnoticed. Unfortunately, most attempts at Federal action have met with limited success. During a short-lived upheaval of public opinion in 1936, several migratory farm worker bills, not unlike the migratory bills pending before this Congress, were introduced in the Senate. This attempt to enact remedial legislation, though it attracted widespread attention, did not result in any positive action.

In 1952, Senator Hubert H. Humphrey revived interest and aspirations for legislative solutions. As Chairman of the Senate Subcommittee on Labor and Labor Management Relations, Senator Humphrey formulated important migratory labor legislation. Regrettably, however, the spirit of the times militated against successful action.

The current effort to enact remedial migratory labor legislation has been initiated by the Senate Subcommittee on Migratory Labor, established in August of 1959 by the Senate Committee on Labor and Public Welfare. With the help and cooperation of the Kennedy Administration, the Subcommittee has formulated a series of pragmatic legislative proposals to ameliorate the most crucial problems of migratory farm workers and their families.

Among these proposals, eleven in number, are bills providing an agricultural minimum wage, collective bargaining rights, prohibition of agricultural child labor outside school hours, and a more efficient and stable farm labor force. Other legislative subjects include better housing, Federal registration of the crew leader (the middleman between the worker and grower) and the establishment of a National Advisory Council on Migratory Labor.

The unique welfare problems of the migratory farm family are also covered by the legislation. One of the bills would help states and local communities establish day-care facilities for migratory children. Other proposals would provide educational opportunities and better health services for migrant children and adults.

Legislation on five key parts of the migratory labor problem was passed by the Senate in August and September of this year and now awaits action by the House of Representatives during the next session of Congress. This legislation covers education, child and adult; crew leader registration; child labor; health; and the establishment of a National Advisory Council. Thus, for the first time in history, there is tangible evidence that this problem may have touched the national conscience.

Is the Farmer the Villain?

The future of the current legislative program cannot, of course, now be perceived. Consequently, every citizen should reflect deeply on why such a serious, but clearly unnecessary, problem has persisted to this day.

The villain concept is, of course, the easiest explanation. Under this explanation, the farm employer is the obvious leading candidate for the villain's role. Moreover, many persons seem willing to elect him by acclamation. There are, however, some cogent considerations that disqualify him.

The farmer's opposition to remedial legislation in this field reflects a reaction of limited outlook oriented to the preservation of self-interest. Almost every businessman engaged in marketing a product recognizes the value of high consumer purchasing power as well as the desirability of having retirement pensions, unemployment compensation and workmen's compensation to cushion the economy. But many employers find it difficult to realize that these advantages are as great and desirable for their own employees as for the

general work force. It is, therefore, not uncommon for the employer to oppose innovations which, in his view, lower his economic standing in order to raise that of his employees. In this respect, the farmer's opposition to remedial migratory labor legislation is no different from the once violent opposition of the industrial magnate to such "extreme" innovations as industrial minimum wage, the forty-hour week, overtime and collective bargaining rights.

The corollary between the farmer and the industrialist ends at this point, however. Although there was, amidst outcries of ruination, no precedent clearly indicating the beneficial effects of these innovations upon the industrial economy, self-interest was ultimately subordinated to the national interest. Minimum security provisions, though once regarded as extreme, are generally recognized today as indispensable to an expanding industrial economy.

To the impartial, objective observer, the achievement of a dignified, reliable farm labor force could be greatly facilitated by extending to farm workers the opportunities and protections now afforded industrial workers. But any legislative program designed to raise wages and otherwise improve the working conditions of farm workers threatens the agricultural economy's firmly entrenched tradition of cheap labor and, in consequence, is opposed by almost all farmers. Since it is only natural for individuals to oppose programs apparently adverse to their own interests, the farmer's opposition should not be thought of as villainous.

The Public as Villain

If a villain we must have, there are less obvious but persuasive reasons for casting the public, rather than the farmer, in this role.

The plight of the migratory farm worker is, in actual fact, the product of an indifferent, complacent society whose attitude, unlike the farmer's, can be neither condoned nor justified. To many Americans, it would seem, the migratory farm worker and his family represent an undesirable element of our society to be shunned and ignored as much as possible. This societal attitude, coupled with the farm employer's natural tendency to obtain his labor at the lowest possible cost and to oppose government or other efforts that interfere with this objective, have worked hand in hand to keep our migratory workers in a deplorable state of poverty.

In short, the migratory labor problem is, in many respects, the creation of a society that has tended to become hardened and cynical to the notion of human compassion. As unsophisticated and old-fashioned as this notion may be, it is, nevertheless, vital to the real purpose and true meaning of democratic government.

Public insensitivity and indifference to this problem need not be accepted as a permanent condition, however. Over the years, religious, charitable and social welfare organizations, usually the most sensitive and responsive to the needs of the underprivileged, have demonstrated that conscientious work can improve the lot of migratory farm families. Unfortunately, though they have made real progress in some areas, the overall problem is too great for these groups to handle alone.

The greatest value of these groups may well lie in the example they provide the general public, namely, that sincere concern can be translated into meaningful action. Their influence in this regard may, in fact, have already taken effect; for, in the past year, there has been a marked increase in public awareness of the plight of the migratory farm worker. This is a sign, perhaps, that the public is becoming embarrassed by its earlier indifference and that new public concern will continue to develop until it produces a truly national compassion.

In a philosophical sense, these pragmatic considerations mean clearly and unmistakably that there has been a failure of one of the most fundamental principles of American democracy—equality of opportunity—which has never really been available to the nation's migratory farm workers. Indeed, the denial of this principle to these citizens might be regarded as an actual repudiation by some Americans of the idea of equal opportunity.

Although the problem has other contributing factors—such as the low educational attainment of the migratory farm worker, from which stems his inability to help himself as other workers have done—the important tools for remedial action may be found in these pragmatic and philosophical considerations. Curative measures should, therefore, have as their philosophical base—as their guiding spirit—the need to bring democracy to this part of our society. The positive acts to bring needed measures into effect will depend upon each of us as individuals. Only by our creation of positive public opinion can we influence the forces opposing change.

The Nuclear Dilemma and the Mind of Tragedy

TOM F. DRIVER

Dr. Driver's article is a continuation of the nuclear discussion begun in our November 13 issue. This discussion will be continued in future issues.

THE EDITORS

WE ARE today facing the consequences of decisions made between 1943 and 1946. We are waking up from a kind of dream. Let us call it "the dream of deterrence." This dream led many to suppose that the atomic bomb was the weapon to end weapons. The reality not squarely faced was that a *policy* of deterrence (different from the *dream*) is a commitment, given certain circumstances, to use the weapons. This policy should have been for us a calculated risk, but for some reason we seem to have taken the risk and postponed the calculation until now. To be sure, in 1946 it was hardly possible, nor is it even now, to calculate the amount of destruction an atomic war would cause, but it was possible to assume that technology would greatly increase the destructive potentialities of known weapons and would invent new ones besides.

We must now think very clearly in order to do what we can to save mankind.

All proposals yet made regarding the use of, or the refusal to use, atomic weapons are tragic. None of them, considered realistically as a means for action, promises escape from terrible suffering of one kind or another; nor does any of them lessen our guilt. This tragic dilemma, which I fear is inescapable, must inform all our thinking about the ethical and policy-making aspects of the problem. Its immediate consequence is that all argument about policy based on moral considerations must be advanced with extreme caution. The man who wants to be morally right is usually the worst offender in tragedy.

To my mind, the primary moral obligation in our situation, overriding all others, is to attempt to save mankind from self-destruction. Our task is thus to devise a policy and a strategy that will, if possible, prevent the outbreak of nuclear war. To do this we cannot announce in advance how we would or would not fight if such a war began.

Dr. Driver is a member of the Editorial Board. His articles and reviews have appeared in *The New Republic*, *The Christian Century* and many other journals.

Dr. Bennett insists that it would be morally wrong for us to initiate a nuclear war. He is right. But may the point not be a moot one? It contains the unrealistic assumption that the primary responsibility for a fight rests with the side that strikes the first blow. Yet all peacemakers, and all parents, know this is not so. It is possible—through foolishness or malice—to goad an adversary into violence, and this is true of nuclear as well as other kinds of warfare. For another thing, if the aftermath of a nuclear war would be as terrible as Dr. Bennett describes it, the question of who started the war would not much matter, for then, if not now, the problem of survival would overshadow it. What we want, if possible, is to avoid the circumstance in which *either* side will strike.

We Are All Impractical

Perhaps, however, when Dean Bennett and others speak of moral wrong they are thinking of what would be morally wrong in the eyes of God. But this consideration is one that only an absolute pacifist, and not even he consistently, can advance. For others to advance it puts them in the position of saying that in the eyes of God there is a "moral" way to fight wars, which cannot be. War is always immoral and does not become in any degree moral just because there are in the world even "greater" immoralities. By searching for a moral justification for our actions in regard to war, we place ourselves in peril of self-righteousness—a fact that jeopardizes the moral claims of the pacifist and non-pacifist alike.

I feel that in the present discussion this tragic dimension of our situation is being overlooked. If moral guilt—real guilt—made life intolerable, it would be intolerable now. If we say we would not want to survive an atomic war because of the guilt we would feel, we should ask ourselves whether we had any right to survive Hiroshima.

Many of us, under the tutelage of Dr. Bennett, Reinhold Niebuhr and others, abandoned our former pacifism. We were convinced of its "irrelevance" to the realities of politics and power. The nuclear situation—which is nothing but the

technological extension of earlier situations—makes clear the fact that the non-pacifist position is also “irrelevant.” Pacifist or not, we are all impractical. Therefore, the only question is whether we may reduce the amount of our impracticality without encouraging in ourselves the illusion that we have thereby become “practical” men.

We must all gamble, but in doing so we must also know how high are the stakes and how committed we are to outrageous actions in case the gamble is lost.

When we must make such important ventures as these, it is very important that we do not fall into the trap of thinking in absolutes. In the past we have tended to absolutize the moral elements of the dilemma. The pacifist, especially, has done this. The danger now is that we may absolutize nuclear war itself, regarding it as the eschaton when it may be no such thing. Whatever the limitations of Herman Kahn’s book, *On Thermonuclear War*, its great asset is that it teaches us not to think in this absolute way.

History shows that men, together with tolerable forms of social organization, are capable of surviving more than they think they are. Thermo-nuclear war may not mean the end of mankind, the end of civilization, or even the end of “Western values.” We simply do not know. We do know that the potential destructiveness of the weapons is great enough to blow up the world, but we do not know how much of this force would actually be employed. We do not know how long a war would last before someone sued for peace; we do not know how many bombs would be exploded; and we do not know how far “escalation” would carry us, just as before World War II we knew neither the extent of the damage that was to come nor the points at which each side would hold back from the use of poison gas, the destruction of cultural treasures, etc.

When men are in a new situation and cannot predict the future, they must rely on past experience. It seems to me, therefore, that we are more sane if we think that nuclear war will have much in common with previous warfare than if we think it will be something totally different. I say this in spite of the fact that the amount of destruction and its consequences would undoubtedly be more vast than what we have known before.

At the same time, there is a new element—if the scientists are to be believed. For the first time there is the *possibility* that mankind and/or

his civilization might be destroyed beyond rebirth or repair. It is important not to think of this as a *certainty*, but it is equally important to recognize it as a *possibility*. We then have a clear question: Is mankind utterly foolish to attempt to live with such a possibility threatening him, and has he an alternative?

The Nuclear Pacifist

As I understand it, the position of the nuclear pacifist is to answer yes to both parts of this question. He reasons that unilateral nuclear disarmament would remove the threat of the destruction of mankind, since it would deprive an aggressor of his need to use nuclear weapons himself, or at least of the need to use them massively. The highly probable consequence the nuclear pacifist must then face is the domination of all the world by a totalitarian government. If he does not allow for this, he is indeed irresponsible. He must weigh that most likely *probability* against the *possibility* (I think not the *probability*) that mankind will destroy itself.

The nuclear pacifist argument, when espoused by those willing to face its consequences, is one of the most reasonable of all positions. But there is a flaw in it. Its logic will hold only if there are just two nuclear powers. If I have one adversary, and he has only me as adversary, I can with some degree of confidence predict his reaction to what I do. But if there is a third party (not to mention four or five), my action becomes less determinative, and I can hardly predict at all what *they* will do to each other. In the old days this fact was less important because a nation’s destructive power was more or less to be judged by its size, and so the balance of power could be calculated. The destructiveness of atomic weapons, however, is out of proportion to a nation’s size. With atomic weapons, France is as formidable as Russia. China does not need to rival our industrial capacity in order to threaten our existence. Hence the logic of nuclear pacifism is thrown off, and its proposed policy, so risky at best, offers no clear deliverance from nuclear war.

They are right who say that we may enlarge our capacities for sane action by increasing our conventional weapons—our capacity, that is, to wage war without resort to nuclear devices. Even so, an announcement that we would never resort to nuclear weapons unless the other side used them first would amount to a declaration that

we would suffer defeat with conventional weapons rather than use our atomic arsenal, and this would, certainly at present, invite aggression.

I think it is unreasonable to assume that if large-scale aggression took place the United States would refrain from using its atomic force. Perhaps it *ought* not, but it probably *would* anyhow. We are not wisely moral if, by applying a moral principle at one stage of the game, we lead our countrymen into another stage where a moral betrayal is likely.

Destiny Is Out of Our Hands

As long as we possess the nuclear weapons we are committed to their potential use, and we must face the strong likelihood that the potentiality will become an actuality. Escalation does not necessarily begin with the first nuclear device set off. It may begin with the first shot fired. After all, World War II began with men marching and ended with atomic fission.

The tragic character of our dilemma is evident, whatever direction we turn. Every proposal is a gamble—with the odds against us. No proposal rests on a moral position that is not an affront

to righteousness. Our destiny is out of our hands, and our leaders' hands. To recognize this is the only chance one has of bringing things under even partial control. It is also necessary in order to prevent us from suffering an eventual failure of nerve and intelligence.

Nerve and intelligence compound the tragedy, but they are the very risk we must take. If, as is likely, but not certain, they bring about our downfall, it is nevertheless better to perish, or to live under tyranny, as men of courage and intellect than as men of cowardice and confusion. This is true on humanistic grounds because the tragic hero is noble. It is true on Christian grounds because the Christian God is not the one who removes us from action and tragedy but the one who, by his own power and love, reverses our tragedy. (Whether in history or beyond history, I do not know.)

Both in Christianity and in literature, the comedy of love and joy—as opposed to that of satire and ridicule—is not the achievement of man but the unpredictable reversal of his fortunes. To know this and to experience the release from despair it brings, one must have the mind of tragedy.

A Widely Misjudged Man of Great Influence

John Courtney Murray, S.J.: An Evaluation

GEORGE A. LINDBECK

PERHAPS NO American theologian, Protestant or Catholic, has exerted a greater or more beneficial influence on the most recent political events than has Father John Courtney Murray, S.J. Without his arguments for the complete compatibility of Roman Catholic and American democratic loyalties, the position of the Catholics in the last election would have been far more awkward and the attacks of the non-Catholics more massive.

The recent *Time* cover story on Father Murray (Dec. 12, 1960) indicates that his fame does not lag far behind his achievements, and yet, as is generally true of the intellectual with a large reputation, he is widely misjudged. He is thought to be the very embodiment of Roman Catholic "liberalism," and of course in a sense he is; but his basic position is that of a conservative, even

reactionary, representative of traditional Thomistic natural law theory. I shall later raise the question of whether this position does not merit a more solid presentation than Murray gives it.

However, before proceeding to criticism, we must say something of his immense positive contributions. This does not consist in originating Catholic arguments in favor of religious liberty, for these were already well developed as long ago as 1912 by Arthur Vermeersch and have been defended by many European theologians (though not by Americans) during the following decades. All this is fully documented in the book of A. F. Carrillo de Albornoz, *Roman Catholicism and Religious Liberty* (published by the World Council of Churches in 1959), often referred to in this journal. This book surprised even the leading American Catholic historian, Father John Tracy Ellis, by its testimony to how widespread and deeply rooted is the "new theory" of church-state relations (*Theological Studies*, 1961, pp. 133f.).

DR. LINDBECK, who teaches historical theology at the Yale University Divinity School, is one of the foremost Protestant interpreters of contemporary Roman Catholic thought. He contributed to the recently published *The Papal Council and the Gospel* (Augsburg).

While on this point Fr. Murray has not created *de novo*, he has done something at least as important: he has brought this theory to the attention of the American public and, even more significant, he has devised the most solid demonstration yet presented for its compatibility with the Church's official position. (See a collection of articles in *Catholic Mind*, 57: No. 1143, May-June, 1959; *American Ecclesiastical Review* 124:327 ff., 126:28 ff.; *Theological Studies* 9:491 ff., 10:177 ff., 12:155 ff.; *Proceedings of the Catholic Theological Society of America* 1949, 26 ff. This is only a selection of Fr. Murray's writings on this issue.) Contrary to what even well-informed Protestants, as well as many Catholics, often think, the theological issue is no longer in doubt. Murray has argued so well for the doctrinal orthodoxy of considering religious freedom desirable (though not always obligatory) even in dominantly Catholic states that reactionary attacks have little chance of success.

"Demythologizing" Ecclesiastical Directives

Everything turns on how narrowly or broadly one interprets the Church's past condemnations of democracy and freedom, and it is precisely on this point that Murray appears to be invulnerable. In insisting on the narrow interpretation, he is simply using consistently two hermeneutical principles, one old and one new, which are by now so thoroughly embedded in Roman Catholic theological procedure that it is hard to imagine their ever being eradicated. The first might be termed the "legal" technique of reading magisterial directives. As these are official pronouncements, the private opinions of their authors are not determinative of their meaning. (Popes and Fathers may be heretical in their personal thinking; it is only their solemn definitions of doctrine on behalf of the whole Church that are said to be exempt from error.) Thus nothing would be proved, for example, even if it could be shown that the Pius IX who wrote the *Syllabus of Errors* would probably have disapproved of Murray's theories regarding religious freedom. Only what is explicitly stated in the text of the document is authoritative, not the unexpressed outlook that presumably inspired it.

There is nothing novel about this approach to papal pronouncements. For hundreds of years, every theologian has employed it, some more consciously and consistently than others. No other procedure is possible, for as in the case of a legal

system, this constitutes the only available way of working into some sort of coherent pattern all the disparate yet authoritative elements of a tradition that reaches back to the Bible. Further, once again as in the case of legal and constitutional systems, this method gives rise to an indefinitely large number of unpredictable possibilities for radically reinterpreting, even without repealing, past pronouncements.

Modern developments in historical method have provided a second set of techniques for narrowing the authoritative import of magisterial documents. The situation here is exactly parallel to that in biblical studies, for in both cases it is only the literal sense that is binding. Often (though perhaps not always) it requires the most intensive historical research to determine exactly what that sense is, exactly what the author intended to assert. What was the context of a given assertion? What positions did it exclude, and do these differ in any essential respects from other verbally similar ones? When such questions are seriously pursued, something like a "demythologizing" of ecclesiastical directives occurs, and at times this is comparable to the way in which the literal sense of the first chapters of Genesis is reduced to the single point that the one God created heaven and earth.

Fr. Murray is a master of these techniques of "legal" and historical analysis. He spells out in rigorous and compelling detail the fact that the European liberalism and democracy that the Roman Church condemned in the 19th century was a basically anti-religious secularist absolutism that is essentially different from the pluralistic and non-absolutist Anglo-Saxon varieties. Condemnations of the first, therefore, cannot be generalized to apply to the second. In this and other ways he argues that the only affirmation consistently maintained, and therefore unchangeably authoritative, in the millenia of teaching on church-state relations is the single principle that the "freedom of the Church" must be maintained and that under modern conditions this is best done in a democratic and religiously free society.

All the actions of the Church that seem opposed to political and religious liberty—from the Inquisition to cooperation with Franco—must be understood as accommodations (usually, but not always, justified) to special circumstances. There are no doubt various details in this demonstration that can be improved, but in the main Fr. Murray clearly has the advantage over his Catholic critics. They generally canonize theories of the re-

cent past, such as the repellent 19th century "thesis-hypothesis" view that Catholics should favor tolerance when in a minority but not when in a majority, and thereby, in effect, deny the fundamental Catholic appeal to tradition as a whole and not just to one segment of it. For this reason we may expect that insofar as such matters depend on theological rationality (which, of course, they sometimes do not), the "new" position will become the standard Roman Catholic one.

It is in this sort of intramural argument among Catholic theologians that Fr. Murray is at his best. As befits one who works within the context of a massive, detailed and developing dogmatic system, his talents are those of a first-rate constitutional lawyer. Such skills are of little value in most Protestant theology, but in the Roman Catholic system, as when pleading before the Supreme Court, they can be—and in Murray's case, have been—of absolutely crucial significance.

A Rationalistic Natural Law

It is difficult to be openly enthusiastic about a second and more recent role that Fr. Murray has adopted, which is reflected in most of the essays collected in *We Hold These Truths* (Sheed and Ward, 1960). Here he steps forward as the major spokesman in America for the Catholic natural law tradition. He applies its principles not only to church-state relations, but also to the school question, censorship, the nature of communism and of our conflict with it, the ethics of nuclear warfare, and the indispensability of a natural law outlook for healthy democracy. As in an able lawyer's brief, general principles deductively applied to concrete situations march masterfully across the pages. The writing has an impressively authoritative ring, an Augustan and sometimes condescending majesty. Yet few readers, I fear, will be persuaded by the arguments, though some may be overpowered by the style.

The difficulty is not so much with the basic natural law position as with the unreconstructed and rationalistic traditionalism of Fr. Murray's version of it. He seems totally uninfluenced by the newer investigations into the meaning of "nature" and "natural" that are being carried out in Europe by such Catholic thinkers as K. Rahner, Sieverth, von Balthasar, Dondeyne and de Lubac.

Most of these men, while remaining recognizably Thomist, have been deeply influenced by phenomenological and existentialist motifs with the result, as we shall see, that the notion of nat-

ural law implied by their work resists the standard Protestant attacks, not to mention the secular ones. Yet they meet the requirements of official Catholic teaching by firmly maintaining that there are essential normative structures of human existence (that freedom, love and justice are demands of our very being) and by holding that these are not wholly unknowable to man even in his fallen state, for always and everywhere they exert, so to speak, pressure on human thought and conduct. However, from their point of view it would be falsely rationalistic to assume, as Murray certainly seems to do, that all the major precepts and conclusions of the natural law as traditionally set forth can be demonstrated in such a way as to be objectively convincing to any man of sufficient intelligence (granting, of course, that because of private subjective reasons he might not in fact be convinced). On the contrary, without the support of revelation, our rational knowledge of the normative structure of human nature is likely to be dangerously inadequate and confused.

Furthermore, the rationality that operates in such matters has much more the character of Pascal's *esprit de finesse*, or Newman's "illative sense," or Aquinas' "knowledge by connaturality" than Murray, despite his sophisticated awareness of the limitations of deductive reasoning, seems willing to allow. When the natural law position is stated in such terms, it is not very far removed from major elements in the thought of such Protestants as Reinhold Niebuhr and Paul Tillich, and the more flexible and modest way of speaking about reason makes it philosophically defensible. One cannot help but suspect that the voice of natural law in the American dialogue would be stronger if it learned the new accent—if it abandoned the rationalism of the Thomistic tradition (and thereby, perhaps, became more authentically Thomist).

Principles and Systematic Logical Argument

Fr. Murray is perhaps even more intellectualistic in practice than in theory. With some exceptions, as in his admirable discussion of censorship, he tends to ignore his own insistence on the importance of the intellectual virtue of "prudence," that is, of pragmatic reasoning. Thus he forgets, for example, that even if the abstract justice of public aid to private schools is conceded, still it may be wrong to grant this aid because of the overriding importance—which in other contexts he admits—of the common good. In other words, he fails to consider such dangers as the possibility that in a highly pluralistic society the direct support of parochial schools might create a chaos of competing sectarian educational systems.

Imprudence is also apparent in his justification

of something like Dulles' brinkmanship. He neglects all sorts of relevant psychological and sociological considerations in arguing that Communists, because of their ideology, are irrevocably committed to a policy of maximum security and minimum risk, and that therefore it is both safe and necessary to take a consistently hard—perhaps one should say “menacing”—line against them.

To be sure, it would be wrong to dismiss this thesis out of hand. It may be that the way in which general principles operate to control Murray's own thinking has given him special insight into Khrushchev's ideological intransigence, and he is surely right in saying that it is liberal sentimentalism to ignore this possibility. But it is simply realistic, not sentimental, to suggest that his model of the Russian leaders' mind is overly simple. The fact that it accounts well for much of their past behavior is no guarantee that it will apply equally well in the future.

However, it is in the treatment of what he calls “ambiguist” ethics that his excessive rationalism becomes most irritating, at least to the Protestant reader. Even though he mentions no names, he attacks, in a way that is both unfair and mistaken, a position that can only be that of Reinhold Niebuhr. It is true that he scores some telling points. He correctly points out that whatever may be said about motives and consequences, a decision itself is never morally ambiguous. It is, for instance, unambiguously good, unequivocally obligatory, to choose the lesser of two evils; and this is true even when one is conscious that one's reasons for doing so are far from admirable. This in no way impairs, however, the “ambiguists'” main contention that even the best and wisest of men are so caught in human fallibility and hidden sinfulness that they constantly make disastrous errors in determining what is in fact the lesser of two evils.

It is hard to see why Fr. Murray doesn't admit this. He could maintain every whit of the traditional natural law insistence on the controlling place of general principles in the moral life and yet grant the necessity of humility and repentance in carrying out the precepts of the natural, and not only the supernatural, law. Furthermore, his political ethics would be a great deal more Christian in temper if he did this.

It would be wrong to end on this critical note, however, for Fr. Murray is unquestionably right

in his fundamental assertion that we must think in terms of general moral principles when relating ethics to public policy. Reasoning in every field must make use of universal statements, and as long as these are properly related to the concrete facts, the more universal they are, the better. This is why we cannot dispense with such abstract concepts as “justice” and the “common good” if we are going to talk intelligently about ethical issues. This is also why predominantly pragmatist or existentialist approaches destroy reasoned moral reflection, prevent “civil dialogue” between fundamentally opposed views and deliver the nation into the hands of the manipulators of emotion or of technicians skilled in analyzing means but not ends.

One does not have to be an adherent of the natural law in order to make this admission; but, as a matter of fact, it is chiefly Roman Catholic natural law thinkers in contemporary America who put this admission into practice, who really try to reason about ethics and policy—who, in other words, are interested in universal principles and systematic logical argumentation. In large part because of Fr. Murray's work, they are learning to speak a language more intelligible to the rest of us and to deal with problems that concern us all. Their influence is growing, and it may be hoped that this will increase both the moral seriousness and the reasonableness with which public issues are discussed.

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